UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

James L Leach	RECEIVED
	JAN 1 8 2008 🖔
Rockbyd IL 6/18) (Name of the plaintiff or plaintiffs)	MICHAEL W. DOBBINS CIVIL ACTIONERK, U.S. DISTRICT COURT
v.	NO. 440-2007-06384
SBM majntenance contrador)	Drc.
1438 BrookDr, Dowkers Group IL 40515 (Name of the defendant or defendants)	PR 23 200 OLERK, U.S. DISTRICT CO
COMPLAINT OF EMPL	OYMENT DISCRIMINATION
1. This is an action for employment discrimin	nation.
2. The plaintiff is James Lamo	int Leach of the
country of Wirnabago (Rockford)	in the state of ILLinois.
3. The defendant is 5 8 M Main	tenance Contractors Inc., whose
street address is 1438 Brook	
(city) (county) Grove (Defendant's telephone number) (85)	(state) IL (ZIP) 605/5 229-9624/1820-941-3490
4. The plaintiff sought employment or was en	
(county) WINN (state) IL (

5. The plaintiff [check one box]
(a) was denied employment by the defendant.
(b) was hired and is still employed by the defendant.
(c) was employed but is no longer employed by the defendant.
6. The defendant discriminated against the plaintiff on or about, or beginning on or about,
(month) 50 N l, (day) 13 Th, (year) 2007.
7.1 (Choose paragraph 7.1 or 7.2, do not complete both.)
(a) The defendant is not a federal governmental agency, and the plaintiff [chec
one box] has not filed a charge or charges against the defenda
asserting the acts of discrimination indicated in this complaint with any of the following
government agencies:
(i)
(month) $\sqrt{30}$ $\sqrt{90}$ (day) $\sqrt{32}$ (year) $\sqrt{300}$.
(ii) the Illinois Department of Human Rights, on or about
$(month)$ $\sqrt{2}$ (day) 26 $(year)$ 200 .
(b) If charges were filed with an agency indicated above, a copy of the charge is
attached. V YES. NO, but plaintiff will file a copy of the charge within 14 days.
It is the policy of both the Equal Employment Opportunity Commission and the Illinois
Department of Human Rights to cross-file with the other agency all charges received. The
plaintiff has no reason to believe that this policy was not followed in this case.
7.2 The defendant is a federal governmental agency, and
(a) the plaintiff previously filed a Complaint of Employment Discrimination with the
defendant asserting the acts of discrimination indicated in this court complaint.

Yes (month) 6 7h (day) 22 (year) 2007
No, did not file Complaint of Employment Discrimination (b) The plaintiff received a Final Agency Decision on (month) (day) \(\sum_{\cup \cup \cup \cup \cup \cup \cup \cup
(i) Complaint of Employment Discrimination, YES NO, but a copy will be filed within 14 days.
(ii) Final Agency Decision YES NO, but a copy will be filed within 14 days.
(Complete paragraph 8 only if defendant is not a federal governmental agency.)
(a) the United States Equal Employment Opportunity Commission has not issue
a Notice of Right to Sue. the United States Equal Employment Opportunity Commission has issued a Notice of Right to Sue, which was received by the plaintiff on (month) (day) (year) 2007 a copy of which Notice is attached to this complaint.
The defendant discriminated against the plaintiff because of the plaintiff's [check only those that apply]: (a) Age (Age Discrimination Employment Act). (b) Color (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).

(d) National Origin (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981)
(e) Race (Title VII of the Civil Rights Act of 1964 and 42 U.S.C. §1981).
(f) Religion (Title VII of the Civil Rights Act of 1964)
(g) Sex (Title VII of the Civil Rights Act of 1964)
If the defendant is a state, county, municipal (city, town or village) or other local
governmental agency, plaintiff further alleges discrimination on the basis of race, color, or national origin (42 U.S.C. § 1983).
Jurisdiction over the statutory violation alleged is conferred as follows: for Title VII
claims by 28 U.S.C.§1331, 28 U.S.C.§1343(a)(3), and 42 U.S.C.§2000e-5(f)(3); for
42 U.S.C.§1981 and §1983 by 42 U.S.C.§1988; for the A.D.E.A. by 42 U.S.C.§12117;
for the Rehabilitation Act, 29 U.S.C. § 791.
The defendant [check only those that apply]
(a) failed to hire the plaintiff.
(b) terminated the plaintiff's employment.
(c) failed to promote the plaintiff.
(d) failed to reasonably accommodate the plaintiff's religion.
(e) failed to reasonably accommodate the plaintiff's disabilities.
(f) failed to stop harassment;
retaliated against the plaintiff because the plaintiff did something to assert rights protected by the laws identified in paragraphs 9 and 10 above;
(h) other (specify):

		·
13. The	facts supporting the plaintiff's claim of discrimination are as follows:	
IN EVER	More Promoted worked for GCA as day mechanicsor	right Lead
ach	oser were 3 caucagians I Hospanic or Mexican	
3. Ne	ever Posted for Blacks or homer or anyone or an	, POHALON Bounds
4. (Can Prove Statement from Them were false and words	tamperted,
<u>5. 1</u>	vover got interview or wher was given reason why mo	t chosen,
<u>la, c</u>	will be able to show statements from others of	ng Postlow
	E DISCRIMINATION ONLY] Defendant knowingly, intentionally, and willfull iminated against the plaintiff.	у
	plaintiff demands that the case be tried by a jury. YES NO	
	REFORE, the plaintiff asks that the court grant the following relief to the plaintif only those that apply]	f
(a)	Direct the defendant to hire the plaintiff.	
(b)	Direct the defendant to re-employ the plaintiff.	
(c)	Direct the defendant to promote the plaintiff.	•
(d)	Direct the defendant to reasonably accommodate the plaintiff's religion.	
(e)	Direct the defendant to reasonably accommodate the plaintiff's disabilities.	
(f) (T)	Direct the defendant to (specify): Tell The Truth	

√. <u>`</u>	
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	· · · · · · · · · · · · · · · · · · ·
If available, grant the plaintiff appropriate injuliquidated/double damages, front pay, comper prejudgment interest, post-judgment interest, attorney fees and expert witness fees.	nsatory damages, punitive damages
(h) Grant such other relief as the Court may find a	appropriate.
(Plaintiff's signature) James Lamont Llach (Plaintiff's name) Jumes Lamont Llach	
(Plaintiff's street address)	<u> </u>
2507 Anderson St	
RockFord	. ·
(City) hockford (State) IL (ZIP) WIL	01
(Plaintiff's telephone number) (95) - 401 - 7061	
. "	e:

It was a monday May 15 Th 2007 it James Leach talked with Music Belgers and he as my regional district manager for D. C. A Services group and spril perford a day porter at Automobile school about his your and how could we get to be put in his show a regional district manager , and hestated just put your resume on your dip boold and I'll pick it up on stursday with pay roll states and than mike stated to April Wilford you can put yours on the clip board too, and laugh with her and me and spril said no she didn't won't to do that she was happy with her day position and then I brought onl in and let it on the clip branch it up and left the school we get from him position as Regional Dethild manage position so he had bound in nother get Lest, and interview so after that much believe brought on June 15th 305 Al Washook!

 λ

Almesocott was our new Regional Wisturd manager, but to note 1/2 working for G.C. A a little cries The year, and I had almost two years with the company and of war can to vistanthi no manyo benevan my resume thrown a way we had a secutory but they got rid of her, and out hid of mike I don't know what they did with it but lock time there were new managers it was three white and one mexican or haspanies and all of them where day or might porters or mechanics as and I feel I never got a character. and miles was our contact to what you at Auton High School Northern 300 , and all your of them there were more posting of them position to the just of us blacks and women they just is it can tot low, in mat they being hely belief

(formaconvot) E On September \$,2007 I was approached and harassed by Al wessent he pulled me a way from the duranter were I was taking out trash me and her Cofield Head Junitor at Auburn High school and Al stated they don't belorate no call no show but I didn't have one told Al three days in a row of me going to traffic court let him known on monday and on Tuesday and on my court day softender hour from 1000 dim to 2 copies about 1.70 I called Al wessett, and let ham know that I just got det of court to do you want me to come in for thirty minutes he said so lo and April is on you hat come in tomorrow so on friday the 7Th of September 2007 Al Wespectt said James Leach I am young to write you up for no call me should fames Keach let him know that he mid to not come in and gave him Three days of telling him That I had to go to wit.

4. (Harrassmet) On September 7,3007 of told Ale Tressect that he had two days to thenh about he was going to write me up, and that horrosoment because 6 C. A services Droup know of my low suct documentation against me James Leach and folse state mento about Audien High School Assistant principal and the Principal of the school, and state & had problems with them, and others at the school and after there folse stories. word and statements given by others to make E. E. O. C drap my care against them, and I can prove from witness statements that all was said evers folse and they assisted my carature, and after they get wind of E. E. O. C. dismossal they E. E. O. C. contacted them letting them hones so I have been harassed on attrices so The proof both som blot Horceau al me going to Dr. Appointment but when other go appointment they did but humi to show excuses of me hind.

5. (Harrasoment)

On 11-20-07 I James Lead, call Bill Milano the D.C.A book out but allow at better long thosers ulf Al said to everyone it was their there ef they want to work for Wednesday hall day on theirsday 11-22.07 and at that time I fames heach was howing full pump problems with my care to I was having trable getting around so when I called Bill milano, and let have honor that I told teo Coffield the Mind Jantos at Aubern High School of was not coming in on 11-31-07 because). had a Lotter appointment, and having fields a with my car, and gotting a redute before so a sign up det in our office for G.C. A at Auburn and people and sign if I they wanted to work a 11-21-of and I fame teach I wanted It but when I came in on I say to les Cifuld, and asked him if he house how my more get put down on steel he start

b. Harrassment)

On 11-20-07 my name was put on a short or sign up short to work from 10 mm - 3 pm on 11-21-07 2000 called Bell Milane and told him I had sould I was going to take 11-21-07 ofthe ofther Al wescatt hid it was our choice become Here were no hids at school on 11-21-07 and bell milano over hoad what Al wordt said so he made the statement has calling people so he told Les Coffield which did the part capether bunch tables litting and folding them up overyday, and Al wescutt told his not to do the tables that some day I called on him stated to Les let Junes de the tables for now on because he was mad about me calling Bell so -) going over his head, and Al tryed to with me up for not letting take. because my bach and shoulder was huting me Do) let the two women that was doing the lifting together it it because one has hired just for cafe tobiles and clean my

7 (Horrassment)

On november 28,2007 on a wechesclay I James Leach was told by Al wesouth to leave Auburn Righ School peroperty because we had words about he said did les tell you I said to help there girls let tables on 11-26-07 that moreour, and I stated they all ways do it together the two women, and I dedrit have to help them or it don't take three people do it, and that was her way he thought he could write me up for not following direction from him but it was stated in front of others so he could write me up and thats Harrassnest when that ever their got those two women to your honor could you please consider this as Harrasenest, Discrimination, Costere, Dealimotion of caretine and also Alwesselt said to some one James lose his little case. you true Mur Jamesheach "Thanks full the time



ROCKFORD AUBURN HIGH SCHOOL ATHLETICS

5110 Auburn Street Rockford, IL 61101 School Phone: (815) 966-3300 - Fax: (815) 489-5508

Bill Lavery
Athletic Director (815) 966-3300 x 3592

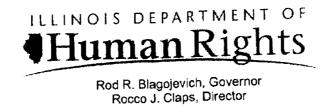
To whom it may concern:

I had some boxes that came in for athletics and James and another GCA employee helped me bring them to a storage closet on a cart. As I was in the closet putting the boxes away I heard James make a grunting sound from outside the closet door. As I went out to see what had happened, I saw James holding his back that he said he had hurt while trying to lift the boxes off the cart. The boxes were extremely heavy; however I really never saw exactly what had happened.

I have known James for the last two years and he is a very hard worker. He was always there when I needed him to attend to something at Auburn High School. He always had a great attitude and worked extremely hard at keeping the high school looking clean and presentable. I never have had an issue or problem with James since I have known him. If you have any questions you can call me at (815) 966-3300 ext. 3592 Sincerely,

Bill Lavery

Athletic Director Auburn High School



November 29, 2007

Mr. James L. Leach 2507 Anderson St. Rockford, IL 61101

Day I each vs SBM Maintenance Contractors, Inc., Control No.: 080927047

The United States Equal Employment Opportunity Commission (EEOC) and the Illinois Department of Human Rights (Department) are parties to a cooperative agreement. Under this agreement, when you filed your charge of discrimination with the EEOC it was automatically filed with the Department. The Department is keeping a copy of your EEOC charge on file to preserve jurisdiction under Illinois law.

This letter is to inform you that you may proceed with your charge at the Department. This does not affect the processing of your charge at EEOC. If you wish to proceed with the Department, you must notify the Department in writing of your decision, either by mail or in person, within 35 days of receipt of this letter. Please include the Control Number indicated above on the letter you send to the Department regarding this charge.

By Mail: Your written decision should be sent via U.S. Postal certified mail, return

receipt requested, to: IL Department of Human Rights, Attn: EEOC Referred Charges/Intake Unit, 100 W. Randolph St., Ste. 10-100, Chicago, IL 60601.

In Person: You must bring an original and one copy of your written decision. The

Department will stamp the copies and one will be returned to you for your

records.

You should also provide to the Department (Attn: EEOC Referred Charges/Intake Unit) a copy of the EEOC Determination and Findings as soon as you receive them from the EEOC. When the Department receives your documents, you will be mailed a letter containing additional information about your case

Your failure to timely notify the Department of your decision will result in the Department closing your file. If you do not wish to proceed with the Department, you do not need to take any further action.

As stated above, this letter does not affect the processing of your charge at the EEOC, and does not apply to any settlement of this charge the parties have made with the EEOC. If you have any questions regarding this process, please contact Thomas F. Roeser, Pre-Investigations Coordinator, at (312) 814-6295. Please do not contact the EEOC. It is not necessary that Respondent take any action at this time.

THE DEPARTMENT OF HUMAN RIGHT'S

CC: Director of Human Resources SBM Maintenance Contractors, Inc. 1438 Brook Dr. Downers Grove, IL 60515

Rev. 10/07

12/26/07

ATTENTION!!! IL Department of Human Rights E E O C Referred Charges/Intake Unit

lo Wh	om It May Conc	ern:		•
I	James 5	1	4 800 by _	, would like to give permission to
Human	Rights to obtain	any, and	ALL informa	ation pertaining to a lawsuit, I would like
to file a	ngainst G C A Se	rvices Gro	oup. I am filir	ng a lawsuit for a multitude of things such
as: disc	rimination, defa	mation of	character and	I falsifying information of my disciplinary
files an	d work ethics.			

Thank you

James L. Leach

James & Locates Of Happy 1

EEOC#: 440-2007-06289

Dec. 26, 2007

ATTENTION!!!!! JOHN P. ROWE DISTRICT DIRECTOR FOR EEOC

I Joyn ? L Leach respectfully request that EEOC reopens my case(s) filed on June 22, 2007 9:36 am; against my employer GCA Services Group. I have useful statements from the school's assistant principal stating my overall character and work ethics at Auburn High School. All information was totally fabricated and the matter-at-hand was never professionally taken care of or documented.

I am asking that you look a little deeper into this case because the first issue is discrimination; which I have a letter from Ms. Avery stating she was never offered the job; just told about it, so it WOULD NOT look like discrimination. Also I have a typed statement from the school's assistant principal Ms. Statler, that the school loves my work performance and has never had a problem with me in my 2 years of employment.

Thank You

James L. Leach

James L. Leagh 197711

EEOC Form.1	(51 (3/98)	J.SQUAL EMPLOYMENT (OPPORTUNI'	TY COMMISSION
		DISMISSAL AND N	OTICE OF	RIGHTS
250) Roc	nes L. Leach 7 Anderson Street ekford, IL 61101 RTIFIED MAIL 7099 3400 0	014 4054 1955	From:	Chicago District Office 500 West Madison St Suite 2800 Chicago, IL 60661
	CONFIDENTIA	erson(s) aggrieved whose identity is VL (29 CFR §1601.7(a))	S	
EEOC Cha	rge No.	EEOC Representative		Telephone No.
440 2007	7.06200	Ernestine Harris,		
440-2007		Enforcement Supervis		(312) 886-7490
THE EEC		E ON THIS CHARGE FOR T		
لـــا	The facts alleged in the cha	arge fail to state a claim under any o	of the statutes e	nforced by the EEOC.
	Your allegations did not inv	olve a disability as defined by the A	Americans With	Disabilities Act.
				ot otherwise covered by the statutes.
				ong after the date(s) of the alleged discrimination to file your
	Having been given 30 of interviews/conferences, or of the conferences, or of the conference and the confer	days in which to respond, you otherwise failed to cooperate to the	failed to pro	wide information, failed to appear or be available for as not possible to resolve your charge.
		ere made to locate you, we were no		to receive your dilarge.
		accept a reasonable settlement offe		If relief for the harm you alleged
X	The EEOC issues the follow establishes violations of the	ving determination: Based upon its	investigation, the	ne EEOC is unable to conclude that the information obtained
				ices agency that investigated this charge.
	Other (briefly state)			
		- NOTICE OF S (See the additional informati	UIT RIGHT	S - this form.)
ederal law of this not be different	based on this charge in tice; or your right to sue i.) Act (EPA): EPA suits	abilities Act, and/or the Ag nt to sue that we will send y n federal or state court. Yo based on this charge will be must be filed in federal or s	ge Discrimin /ou. You ma ur lawsuit m lost. (The ti	ration in Employment Act: This will be the only ay file a lawsuit against the respondent(s) under ust be filed WITHIN 90 DAYS of your receipt me limit for filing suit based on a state claim may lithin 2 years (3 years for willful violations) of the
	A underpayment. This not file suit may not be co	icans that backbay one for	any violatio	ons that occurred <u>more than 2 years (3 years)</u>
		On behalf	of the Commi	ission m/n/a 7

John P. Rowe,

District Director

(Date Mailed)

SBM MAINTENANCE CONTRACTORS, INC

Enclosures(s)

cc:

CEOC FAITS (201)				
CHARGE OF DISCRIMINATION	Charge	Presented To:	Agency	(ies) Charge No(s):
This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		FEPA		
Solid Completing this form.	X	EEOC	44	0-2007-06389
				and EEOC
State or local Agency. Name (Indicate Mr., Ms., Mrs.)	, if any			
Mr. James L. Leach		Home Phone (Incl. Area	•	Date of Birth
Street Aridrage	70.0	(815) 601-70	61	03-08-1970
2507 Anderson Street, Rockford, IL 61101	.ir Code			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Co Discriminated Against Me or Others. (If more than two, list under PARTICULARS below	mmittee, or Str	ate or Local Government	Agency	That I Believe
SRM MAINTENANCE CONTRACTORS INC.		No. Employees, Members	1	No. (include Area Code
SBM MAINTENANCE CONTRACTORS, INC		201 - 500	(8	115) 229-9624
1438 Brook Dr., Downers Grove, IL 60515		No. Employees, Members	Phone	No. (Include Area Code)
		no. chipiotaes, menuela	FINITE	No. (Include Area Code)
Street Address City, State and ZI	IP Code		<u> </u>	
DISCRIMINATION BASED ON (Check appropriate box(es).)				
		DATE(S) DISCR Earliest	IMINATIO	N TOOK PLACE Latest
X RACE COLOR SEX RELIGION NA	TIONAL ORIGIN	05-15-20	07	06-13-2007
RETALIATION AGE DISABILITY OTHER	(Specify below.)			
	CONTINUING ACTION			NG ACTION
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):				
I was hired as a Day Mechanic by Respondent on September a promotion.	4, 2005. C	On or about June1	3, 200	7 I was denied
I believe I have been discriminated against because of my rac Act of 1964, as amended.	e, Black, in	violation of Title	V⊞ of tI	ne Civil Rights
			-00	1
	e car	ECEIVED E	EOU	1
		JUL 2 4 20		
		CHICAGODISTRIC	T OFFI	<u>CE</u> ,
want this charge filed with both the EEOC and the State or local Agency, if any, I will advise the agencies if I change my address or phone number and I will cooperate utily with them in the processing of my charge in accordance with their procedures.		cessary for State and Local		
declare under penalty of perjury that the above is true and correct.	ear or affirm the best of my know NATURE OF COM	at I have read the above wledge, information and MPLAINANT	charge a belief.	and that it is true to
June runny rucky (mon	SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)			
Date U Charging Party Signature				

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION Chicago District Office

500 West Madison St., Suite 2800 Chicago, IL 60661

PH: (312) 353-2713 TDD: (312) 353-2421 ENFORCEMENT FAX: (312) 886-1168 LEGAL FAX: (312) 353-8555

July 30, 2007

Mr. James Leach 2507 Anderson Street Rockford, IL 61101

Re: Charging Party: Mr. James Leach

Respondent: SBM Maintenance Contractors, Inc.

EEOC Number: 440-2007-06289

Dear Mr. Leach:

This is to inform you that I have been assigned as the Investigator for your charge. Presently, I am waiting to receive evidence from the Respondent that you charged with discrimination. When all of this information has been received and analyzed, I will be able to determine what additional steps are appropriate. At any point in this process, I will welcome whatever additional input you may have regarding your charge.

The large inventory of cases currently under investigation in our office may affect the length of time needed to process your charge. You should expect that it will generally require at least six months. We understand that you may be very concerned about your charge when you have not been in contact with us for several weeks or months. Please be assured that the Commission is committed to investigating your charge as expeditiously as possible. We regret that our staff size does not permit us to provide you with more frequent interim contacts without slowing the progress of our investigations. We ask for your understanding and cooperation in this regard.

If it is necessary for you to contact me regarding the investigation of your charge, you may write to me at the above address. Also, if you wish to submit additional information, or report additional complaints of discrimination to us, including reprisal by Respondent against you for filing your present charge, you may do so by writing, or faxing (see fax number above), or by phoning me; I can be reached at (312) 353-5543, between the hours of 8 A.M. and 4 P.M., Monday through Friday.

Sincerely,

Sarita Gaddis

Sarita Gaddis Investigator Support Assistant



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION Chicago District Office

500 West Madison Street, Suite 2800 Chicago, IL 60661

National Contact Center: (800) 669-4000 National Contact Center TTY: (800) 669-6820 Chicago Status Line: (866) 408-8075

Chicago Status Line: (866) 408-8075 Chicago Direct Dial: (312) 353-2714 TTY (312) 353-2421 FAX (312) 353-4041

January 10, 2008

James Leach 2507 Anderson St. Rockford, IL 61101

RE: EEOC Charge No.: 440-2007-06389

Charging Party: James Leach

Respondent: Maintenance Contractors

Dear Mr. Leach:

Enclosed is a copy of the above reference file you requested. If you have any questions, please contact me at (312) 353-5543.

Sincerely,

Sarita Gaddis Section 83 Coordinator Sarita.gaddis@eeoc.gov

EEOC FORM 131 (5/01)	U.S. Equal Employment	Opportunity C	onimission
	· · · · · · · · · · · · · · · · · · ·	· · · · · · · · · · · · · · · · · · ·	ISON FILING CHARGE
SRM MAINTENAN	NCE CONTRACTORS, INC		
1438 Brook Dr.	TOL CONTRACTORS, INC	1	James L. Leach
Downers Grove,	IL 60515	971 11	S PERSON (check one or both)
		_	Claims To Be Aggrieved
			is Filing on Behalf of Other(s)
		I FE	DC CHARGE NO.
-		_	440-2007-06389
	NOTICE OF CHARGE ((See the enclosed for a		ION
This is notice that a cha	arge of employment discrimination has been	n filed against your ord	anization under:
X Title VII of the Civ	• • •		with Disabilities Act
			William State Stat
The Age Discrimin	nation in Employment Act	The Equal Pay	Act
The boxes checked below	apply to our handling of this charge:		EPT.OFHUMANRIGHTS
No action is required	by you at this time.		JUL 3 0 2007
2. Please call the EEO	C Representative listed below concerning the fur	ther handling of this cha	
	, , , , , , , , , , , , , , , , , , , ,		RECEIVED
3. X Please provide by supporting documen the charge. A promp		Your response will be p	by this charge, with copies of any laced in the file and considered as we investigate n.
			end your response to the EEOC vestigate the charge. A prompt response to this
	ion program that gives parties an opportunity to r rices. If you would like to participate, please say		
If you <u>DO NOT</u> wish	to try Mediation, you must respond to any reque	st(s) made above by the	date(s) specified there.
For further inquiry on this r or any inquiry you may hav		ove. Your position stater	ment, your response to our request for information,
	rita D. Gaddis, gator Support Asst	Chicago Distri 500 West Madi	
EE:	OC Representative	Suite 2800	
	Telephone (312) 353-5543	Chicago, IL 60	661
Enclosure(s): Co	py of Charge		
CIRCUMSTANCES OF ALLE	GED DISCRIMINATION		
X RACE COLOR	SEX RELIGION NATIONAL	ORIGIN AGE	DISABILITY RETALIATION OTHER
See enclosed copy o	of charge of discrimination.		
Date	Name / Title of Authorized Official	Three trades and the second se	Signature
	John P. Bowe		
July 24, 2007	John P. Rowe, District Director		In & Rough

EEOC Form 212-A (3	/98)		· · · · · · · · · · · · · · · · · · ·	
	U.S. Equal Employme	ent Oppo	ortunity Commis	sion
то:	Illinois Department Of Human Rights 100 West Randolph Street Floor 10-100 Chicago, IL 60601		Date EEOC Ch	July 24, 2007 narge No. 0-2007-06389
CHARGE TRAN	SMITTAL			
SUBJECT:				
	James L. Leach	V.	SBM MAINTENAM	NCE CONTRACTORS, INC
	Charging Party			spondent
Transmitted here	ewith is a charge of employment discrimination initially	y received by		on July 24, 2007
		Name of I	EPA	Date of Receipt
X Pursuar	nt to the worksharing agreement, this charge is to be	initially inves	tigated by the EEOC.	OF Allie
Pursuar	nt to the worksharing agreement, this charge is to be	initially inves	ilgated by the FEPA.	on July 24, 2007 Date of Receipt JUL 3 JUL 3 JUL 3
The wor	rksharing agreement does not determine which agen	cy is to initial	y investigate the charge.	Elisa
	EEOC requests a waiver	FEPA	waives	
	No waiver requested	FEPA	will investigate the charge	e initially
	Please complete the bottom portion of t and, where appropriate, to indicate whe	this form to ac ther the Agent	knowledge the receipt of the cy will initially investigate the	e charge e charge.
Typed Name of E	EEOC or FEPA Official	Sig	nature/initials	_
	John P. Rowe		mit	Romeros
	James L. Leach	v.		ICE CONTRACTORS, INC
TO WHOM	Charging Party		Res	pondent
TO WHOM	IT MAY CONCERN:			
This will	acknowledge receipt of the referenced charge and in	ndicate this A	gency's intention to initial	ly investigate the charge.
This will	acknowledge receipt of the referenced charge and in	ndicate this A	gency's intention not to in	itially investigate the charge.
This will	acknowledge receipt of the referenced charge and re	equest a waiv	ver of initial investigation b	by the receiving agency.
This will	acknowledge receipt of the referenced charge and preasons:			
Typed Name of E	EOC or FEPA Official	Sign	nature/Initlals	
70	Rocco J. Claps		amenon	And sign
TO:	Chicago District Office 500 West Madison St		Date EEOC Char	July 24, 2007
	Suite 2800		EEOC Charg	ge No. 0-2007-06389
	Chicago, IL 60661			
			FEPA Charg	ge No.



U.S. Equal Employment Opportunity Commission **Chicago District Office**

500 West Madison St Suite 2800 Chicago, IL 60661 (312) 353-2714 TTY (312) 353-2421 FAX (312) 353-4041

James Leach 2507 Anderson Street Rockford, IL 61101

Re: Respondent: SBM Maintenance Contractors Inc

EEOC Charge No.: 440-2007-06389

Dear Mr. Leach:

Enclosed is a draft of your charge of employment discrimination. The information you have provided indicates that the matter complained of may be a violation of one or more of the following laws:

[X]Title VII of the Civil Rights Act of 1964 (Title VII) [] The Age Discrimination in Employment Act (ADEA)

The Americans with Disabilities Act (ADA)

The Equal Pay Act (EPA)

To facilitate proper handling of this action by the Commission you should:

- (x) Review all the information on the enclosed charge form. If you feel a correction should be made, please call me at (312) 353-5543 to discuss.
- (x) SIGN AND DATE ALL FOUR (5) COPIES OF THE CHARGE in the bottom left hand block where indicated by an "X".
- (x) Return by mail all copies of the signed and dated charge.

Since a charge must be processed within the time limitations imposed by law. I urge you to complete the steps indicated as soon as possible. Please call me at (312) 353-5543 if you have any questions.

(x) If you do not return your signed and dated charge to us within thirty (30) days of receipt, or otherwise contact us, your charge may be dismissed. Also, at certain critical stages of the investigation, it may be necessary (for legal reasons) for the Commission to send material by certified mail, return receipt requested. Therefore, you must be sure to claim all such mail while the charge is being processed.

You should be aware that the Commission will cross-file your charge to the Illinois Department of Human Rights ("IDHR") in accordance with our procedures.

Sincerely,

Sarita Gaddis Investigator Support Asst

(312) 353-5543

Enclosures

OC 440-2007 06389 EOBAL EMPLOYMENT OPPORTUNITY COMMISSION

INTAKE QUESTIONNAIRE

Please immediate the entire form and return it to the U.S. Equal Employment Opportunity Commission ("EEOC"). REMEMBER, a charge of employment discrimination must be filed within the time limits imposed by law, generally within 180 days or in some places 300 days of the alleged discrimination. Upon receipt, this form will be reviewed to determine EEOC coverage. Answer all questions as completely as possible, and attach additional pages if needed to complete your response(s). If you do not know the answer to a question, answer by stating "not known." If a question is not applicable, write "n/a."

(PLEASE PRINT).
1. Personal Information
Last Name: Leach, First Name: James MI: L
Street or Mailing Address: 2507 And Ergov 9t Apt Or Unit #:
City: hockford County: State: It Zip: 6/16/1
Phone Numbers: Home: (815) 601 - 706 Work: (815) 966 3300
Cell: (815) 601-706 /65) 516-3257 Email Address:
Date of Birth: 63-08-70 Sex: Male M Female Race: Black
National Origin / Ethnicity Ancrete Do You Have a Disability? Yes D No E
Provide The Name Of A Person We Can Contact If We Are Unable To Reach You:
Name: Carrie Hill Relationship: Grand Nother
Address: 807 Laff Court City: Rockford State: IL Zip Code: Lold
Home Phone: (95) 968-1711 Other Phone: (85) 601-7063
I believe that I was discriminated against by the following organization(s): (Check those that apply)
Employer X Union Employment Agency Other (Please Specify)
2. Organization Contact Information
Organization #1 Name: 6 C A Services Group or SBM Maintenance Contract Address: 1438 Brook Drive County:
Address: 1438 Brook Drive County:
City: Downers Grave State: IL Zip: 60515 Phone: (45) 239-9624
Type of Business: Javitoral Job Location if different from Org. Address;
Type of Business: Javitora Job Location if different from Org. Address: Human Resources Director or Owner Name: (Bill Miland) Phone: (Bis) Phone: (Bis)
Number of Employees in the Organization at All Locations: Please Check (1) One
Less Than 15 □ 15 – 100 □ 101 – 200 □ 201 – 500 ☑ More 500 □
Organization #2 Name:
Address: County:
City: State: Zip: Phone :()

have almost 3

2 yrs with Them and Nevi

given chance.

#7 ____

Well I fell I was discriminated against when they gave Al Wessett the hegieral managers position on June 13, 2007 and he had the same got title as I did and then lune, wish it sing one to bur, ported for me or others with the same title I feel Bill Milano Big Revious Manager over all the rest e Regional Managers said he got this by position said he could fire all the blacks and the white and mexicums be they howevhow to work, and it shows he use his scottion to get white, and mericans in these postion and left out blacks by not posterny the openings and putting whom

3

11. Are there any witnesses to the alleged discriminate and indicate what they will say. Add additional pa NAME JOB TITLE A. Leon Forter Day Mechanic	ory incidents? If yes, please identify them below eges if necessary. ADDRESS & PHONE NUMBER
1108 Makley ave (815)) 965-1681
B. Les Cofield Dry Mechanic	ADDRESS & PHONE NUMBER
- Pierpont aug	(815) 964-7632
They will say their were No posting for B NAME JOB TITLE C. Bill warran (Union hep)	ADDRESS & PHONE NUMBER Chicago area 773 - 875 - 4084
12. Have you filed a charge previously in this matter w	provide name of agency and date of filing:
14. Have you sought help about this situation from a union YES I NO - If yes, from whom and when? Provide date of contact. Results, if any? Bill warraw (UNION Bep) 6/14/0 About what was going and with	name of organization, name of person you spoke with and

If you have not heard from an EEOC office within 30 days of mailing this form, please call toll-free number shown on the letter accompanying this form. Provide the tracking number on the attached cover letter. Please make a copy of this form for your records before mailing.

 $\frac{7-2-07}{\text{Today's Date}}$

PRIVACY ACT STATEMENT: This form is covered by the Privacy Act of 1974: Public Law 93-579. Authority for requesting personal data and the uses thereof are:

- 1. FORM NUMBER/TITLE/DATE. EEOC Intake Questionnaire (10/2006).
- 2. AUTHORITY, 42 U.S.C. § 2000e-5(b), 29 U.S.C. § 211, 29 U.S.C. § 626, 42 U.S.C. 12117(a)
- PRINCIPAL PURPOSE. The purpose of this questionnaire is to solicit information in an acceptable form consistent with statutory requirements to enable the
 Commission to act on matters within its jurisdiction. When this form constitutes the only timely written statement of allegations of employment discrimination, the
 Commission will, consistent with 29 CFR 1601.12(b) and 29 CFR 1626.8(b), consider it to be a sufficient charge of discrimination under the relevant statute(s).
- 4. ROUTINE USES. Information provided on this form will be used by Commission employees to determine the existence of facts relevant to a decision as to whether the Commission has jurisdiction over allegations of employment discrimination and to provide such charge filing counseling as is appropriate. Information provided on this form may be disclosed to other State, local and federal agencies as may be appropriate or necessary to carrying out the Commission's functions. Information may also be disclosed to respondents in connection with litigation.
- 5. WHETHER DISCLOSURE IS MANDATORY OR VOLUNTARY AND EFFECT ON INDIVIDUAL FOR NOT PROVIDING INFORMATION. The providing of this information is voluntary but the failure to do so may hamper the Commission's investigation of a charge of discrimination. It is not mandatory that this form be used to provide the requested information.

NOTE:

Phone Interview
James Leach vs SBM Maintenance Contractors, Inc
Promotion

PCP was the only black who applied for the position Branch General Manager.

PCP stated that there were a total of 4 employees who were promoted to the position of Branch General Manager of the four 1 was Hispanic and the others were White.

Al Wesscot, Steve Ackers, Michal Gilson and David Hernades.

They all had the same job title as cp Day Mechanic.

PCP also stated that Bill Milano head Regional Manager would make comments that if he had his way that their would be no Blacks working under him just whites and Hispanics because they knew how to really work. PCP stated Bill made these types of comments but not directly at PCP.

440 2007 06389

Milo7 DOH 9/4/05
Wrmse DOBP 5/15/07

Hees
Sup Bill Milano (white)
Positiontitle - Day Mechanic

Harm- RB
155UE- P3
Basts - Nat'l Origin - Color(wire
Comparatives: Steve Ackers, muchael
Gilbon, al Werscott, David Hernades H)
are are white & Romo to Branch Regional Mgr.
Reason for not being promo.

hued 9/4/05 Promo given to someone de 5/15/07 # ses?

Sapervisor - Bill Milano PCP job Title - Day Mechanic

Race -

Promo experience -

there goest lighter

May price. - Then brought cur.



GCA Services Group™

To: Sarita D. Gaddis **Investigator Support Assistant** 500 West Madison Street **Suite 2800** Chicago, IL. 60661

Re: Notice Of Charge Of Discrimination Person Filing Charge - James L. Leach EEOC Charge No. 440-2007-06389

The following is GCA Services Group response to the Notice Of Charge Of Discrimination - James L. Leach - EEOC Charge No. 440-2007-06389:

Employment History:

James L. Leach was hired by GCA Services Group to work as a custodian in the Rockford School District on 19 September 2005.

1 July 2006 He received a contract increase raise.

31 July 2006 He was promoted from a custodian to a Day Mechanic

1 July 2007 He received a contract increase raise.

6 June 2007 He asked for a Leave of Absence for personal reasons and left on 7 July ask 7-2-07 monday went to see hose 2007. VOY + (UP

During Mr. Leach's employment with GCA Services Group in Rockford IL.- he did not express any interest in being promoted to management. (See Attached Statements From Managers at Rockford School District GCA Services Group Management.

Statement from Steve Gritzuk (Caucasian) - GCA Services Group Midwest Senior Regional Manager - Rockford School District - 3 August 2007.

On June 26th, 2007 Steve Gritzuk and Alfred Westcott inspected Auburn School due to complaints regarding the lack of summer progress. Upon inspection Steve G. noticed the school was approximately 20% behind the comparable high schools in Rockford 205.

Steve Gritzuk was approached by the Assistant Principal, Mrs. Statler. She stated that she repeatedly asked James Leach to remove a trash filled utility cart, in which he had not removed upon her request.

James was called and questioned about the cart. He stated it was nasty and he needed help in removing it. The situation was accessed and there were active roaches.



After the utility removal, James and Steve spoke about Auburn status. James stated

Auburn was "busy and had too many kids" (overpopulated). He had no explanation of why the building was behind, except that the asst. principal was not reasonable.

Steve has known As they spoke about how he was doing he stated that things were fine. Steve has known James for a while and initially placed him with Auburn due to his solid performance. He has already been promoted to Day Mechanic, properly trained, with the highest paid hourly position.

At no point during this conversation, or any other time in which Steve has worked with James did he ever express a desire to be considered for management. James never spoke of it to Bill Milanos, (Regional Manager) either.

GCA has posted openings for Asst Managers and Managers positions internally and in the Rockford Register Star. Never did he apply or express a desire to apply.

Based upon his performance at Auburn, unfortunately Steve would not consider James Leach as a candidate for a management position. To date, James has failed the pool test twice in the past year. His job performance has been boarder line at best by the principal and most district personnel including Harry Wicherson, our primary contact.

James is the contact at the school and there were complaints about poor communication between shifts and the school staff, which is normally a primary Day Mechanic responsibility.

Auburns pool, which is James responsibility, had to be cleaned twice to remove the scale and yellow discoloration due to inconsistent cleaning practices. The records were not kept at 100% as required. James did not show the leadership needed to maintain the building daily.

- Augustine Meza (Hispanic) is an Asst Manager. He has given 110% daily and completed every task on time.
- Jerry Clark (Caucasian) is an Asst Manager. He has been very helpful with the summer clean involved with 6 buildings up to this point.
- Marquis Taylor (African American) has been spoken with by Bill
 Milanos personally discussing the strong chance he will be promoted to Asst
 Manager based on his strong performance during this summer clean.
- Yonette Avery (African American female) was offered a position as
 Area Manager last year 2006 and turned it down. She was offered the position
 again in the spring and turned it down again. Bill has recently spoken with her
 and she feels now is a better time for her and would like to be reconsidered.



To recap, James has not displayed the skills or made the effort to learn the skills needed to be considered for the position of Area Manager or Assistant Manager. His building, pool and work ethic have shown this. If these things were change in the future, we could consider James Leach for a Management spot on the Rockford team – but – as stated before he has not shown interest or mentioned it to any management in GCA @ - 843-469-3568.

Statement from Bill Milanos (Caucasian) – GCA Services Group - Midwest Regional Manager - Rockford School District – 3 August 2007.

Mr. Leach has never approached me or any of my team related to being interested or promoted to a management position with GCA Services Group within the Rockford School District.

Mr. Leach's performance has not warranted consideration for a management position at the present time. @ 815-227-9624

Statement from Ms. Yonette Avery (African American) – Hourly Lead Custodian – GCA Services Group – Rockford School District.

Bill Milanos offered me, Ms Yonette Avery, a supervisor position with GCA Services Group in 2006. However, I declined the offer due to me not having enough knowledge about the company's expectations. Now that there are management positions available and I know what is expected from me as a supervisor, not saying that there aren't a few things I need to learn to be successful in this field. With the knowledge I have at this time, I know that I am capable and qualified for the position.

I learned of the openings through my manager and postings of jobs in the break room. If there are any questions, comments and or concerns please contact me, Ms. Yonette Avery @ 815-378-5111.



Current Rockford School District Ethnicity

Hourly Employees:

Management Employees:

101 African Americans:

5 Caucasian Managers

69 Caucasian

42 Hispanic

8 Bosnian

Russian

French 223 Total

Note: In the Last 12 months (4) four Managers have left the Rockford

School District:

2 - Caucasian 2 - Hispanic

Gender:

103 Females

120 Males

223 Total

Management and Hourly open position procedure - Rockford GCA **School District:**

- 1. Hourly employees are given the opportunity to increase their positions and wages by notification on bulletin boards and employee/management meetings. The posting of job openings is part of the SEIU Local 1 Contract Agreement between GCA and the union.
- 2. Ads are placed in the local Rockford Register Star News Paper. This procedure is used for hourly and management positions when needed.
- 3. All Resumes are reviewed that are submitted and interviews conducted when current employees express interest in any open position.

Additional Background Information: **Bill Milanos Statement 8 August 2007**

James Leach requested a six month leave of absence on 6 June 2007 and left on 7 July 2007. By the contract agreement with the SEIU Local 1 GCA Services Group can only grant 30 day leaves of absence other than FMLA. He was given six months to return to work and guaranteed his Day Mechanic position for 90 days.



Attachments:

GCA Forms - Leave of Absence - Rate Increase - Equal Employee Opportunity Survey GCA Form - Hiring Form

Cc: James P. Sostak - Vice President Bernie Decker - Human Resource Vice President Steve Gritzuk – Senior Regional Manger Bill Milanos - Regional Manager

'FROM :GCA SBM

FAX NO. :18159686190

S--. 21 2005 10:03AM P3



YOUTHY ST	TOSITION APPLIE	DFOR			
HOURLY EMPLOYMENT			Any in	9/20	
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14.	Position		Llon	FoSter	
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k.	Date Available		7-4-	-05 A.S	S. A.P.
Specify the position for which you are applying.	Days / Hours Availa	uble .	W-3.	LAM.	- Gpm
Sign and date application where indicated. All provided formation is subject to verification.	Full Time or Part T	ime	FULL	Time	
Submit the application to the location where the position is seated.	Area(s) of Town in	which you can	work (Assy	open)	
CONTACT INFORMATION YOUR NAME TO MES L	amout 1	-each	•		,
Mailing Address 807 Land C	+				
10 . I/w \ // "	TL. UILO				
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FROM FOCA SBM

FAX NO. :18159686190

5 . 21 2005 10:03AM P4

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	Address: Blodd INDIAO LN	Phone Number: 494 - 8675
•	Postrion: Courante Laborer	Supervisor's Name and Title: Sason Yeteson
	From: 3 17, 05 To: 7,7,05	May we contact him \ her?
	anoists day year month day year	Hounty Wage: 16.00
•	Reason for Leaving:	Λ1
2.	Name of Next Previous Employer Little Polls	5 Vlace
	Address: 3218 11 Th 5t	Phone Number: 227 - 4907
i	Position: Child care Aide	Supervisor's Name and Title: LISA WISON
	Printi: H Ol ol To: 5 1 03	May we contact him \ her? Yes No
	RESERVING BUSINESS West OW	
_	Calariel A	allina Company
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Please	list two non-family personal references	015 670 -3507 20V15
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(wnders	trand that the employer may thoroughly investigate and varify all the mid shock and require me to take a drug test. I authorize all individual requirements about me, and I release them from all liability for day	ate given on this application. I understand that GCA may conduct a criminal iduals named therein, except my current employer if no nated, to provide any nage in providing this information.
T certify	that all the motomoust herein are true and understand that any fals	fication or willful analysion shall be sufficient esupe for dismissal or refusal al
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FROM : GCA SBM

FAX NO. :18159686190

S--. 21 2005 10:04AM P7

U.S. Department of Justice

nligibility,

Signature of Employer or Authorized Representative

OMB Na. 11 15-0126 Employment Eligibility Verification

Immigration and Naturalization Service Please road instructions carefully before completing this form. The instructions must be available during completion of this form. ANTI-DISCRIMINATION NOTICE: It is illegal to discriminate against work eligible individuals. Employers CANNOT specify which document(s) they will accept from an employee. The refusal to hire an individual because of a future expiration date may also constitute illegal discrimination. Section 1. Employee information and Verification. To be completed and signed by employee at the time employment bagins. First Print Name: Last Ju mes Date of Birth (month/day/vear) Apt. # Address (Street Name and Number) 10/10 II rial Security # Zip Code City liattest, under panalty of parjury, that I am (check one of the following): A citizen or national of the United States I am aware that federal law provides for imprisonment and/or fines for false statements or A Lawful Permanent Rusident (Allen # A use of false documents in connection with the An aften authorized to work until _ (Alien # or Admission #) completion of this form. Date (month/day/yenr) Employee's Signature (To be completed and signed if Section 1 is prepared by a person Preparer and/or Translator Certification. other than the employee.) I attest, under penalty of perjury, that I have assisted in the completion of this form and that to the best of my knowledge the information is true and correct. Print Name Proparer's/Translator's Signature Date (month/day/year) Address (Street Name and Number, City, State, Zip Code) Section 2. Employer Review and Verification. To be completed and signed by employer, Examina one document from List A OR examine one document from List B and one from List C, as listed on the reverse of this form, and record the title, number and expiration date, if any, of the List C document(s) List B OR List A Document title: Issuing authority: Document #: Expiration Duto (if any): ___/_ Document #: . CERTIFICATION - I attest, under penalty of perjury, that I have examined the document(s) presented by the above-named employee, that the above-listed document(s) appear to be genuine and to relate to the employee named, that the employee, that the above-listed document(s) appear to be genome and to relate to the employee hands, that the employee employee bagan employment on (month/day/year) ______ and that to the best of my knowledge the employee is aligible to work in the United States. (State employment agencies may omit the date the employee began employment.) ASSISTANT Signature of Employer or Authorized Representative Swanstrom Naug Swa rganization Name Address (Street Name and Numbur, City. State. Zip Code)
SBM/GCA1438 BROOK DRIVE Date (month/day/yen/) Business or granization Name 103 DOWNERS GROVE 1L,60515 Section 3. Updating and Reverification. To be completed and signed by employer, B. Date of rentre (month/day/year) (if applicable) A. New Name (If applicable) C. If employee's previous grant of work authorization has expired, provide the information below for this document that establishes current employment

I attest, under penalty of perjuty, that to the best of my knowledge, this compleyed is eligible to work in the United States, and if the unipleyed presented

document(s), the document(s) I have examined appear to be garuing and to relate to the individual.

Expiration Date (If any):

Date (month/day/year)

Form 1-9 (Rev. 11-21-91)N Page 2

Equal Employment Opportunity Survey
CONFIDENTIAL INFORMATION
Government agencies require periodic reports on the sex, ethnicity, disability and veteran status of applicants. Completion of this data is voluntary and will not affect your opportunity for employment, or terms or conditions of employment, if hired, identification can be declared at any time prior to, or if applicable, after hire. Please return this page with your application.
Check one: Male Female
Check one of the following:
Race/Ethnic Group:
American Indian or Alaskan Native - A person having origins in any of the original peoples of North America and South America (including Central America), and who maintains tribal affiliation or community attachment.
Asian - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
Black or African American - A person having origins in any of the Black racial groups of Africa. Terms such as "Haitian" or "Negro" can be used in addition to "Black or African American."
Native Hawaiian or Other Pacific Islander - A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
White (Caucasian) - A person having origins in any of the original peoples of Europe, North Africa, or the Middle East.
Hispanic or Latino (All races) - A person of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
Race missing or unknown - Applies to Applicants only, where a resume or application that is screened is received without any racial or ethnic identification and no further contact is made with the applicant.
Please check one if it describes your veteran status
Veteran Status:
SPECIAL DISABLED VETERAN: Means (A) a veteran who is entitled to compensation (or who, but for the receipt of military retired pay, would be entitled to compensation) under laws administered by the Department of Veteran Affairs for a disability rated at 10 or 20 percent in the case of a veteran who has been determined to have a serious employment disability or (B) a person who was discharged or released from active duty because of a service-connected disability.
VIETNAM ERA VETERAN: means a veteran, any part of whose active military, naval, or air service, was during the period August 5, 1964 through May 7, 1975 who (1) served on active duty for a period of more than 180 days and was discharged or released there from with other than a dishonorable discharge, or (2) was discharged or released from active duty because of a service-connected disability. No veteran can be considered to be a veteran of the Vietnam era under this paragraph after Dec. 31, 1994.

Personal and Confidential
This page contains sensitive information, store in secure "EEO" files, separately from personnel records!

Case 3:08-cv-50011

Document 19

Filed 04/23/2008

Page 42 of 52

FROM ! GCA SBM

FAX NO. :18159686190

S--. 21 2005 10:04AM P6

Acknowledgement of Receipt

I, James Lamont Leach understand that as an employee of GCA Services Group I may be subject to pre-employment drug testing, post-accident drug testing, random drug testing, reasonable cause drug testing, and return-to-duty drug testing as described in Drug Testing Policy. I further understand that all screening tests for drugs will be subject to careful testing procedures.

I understand that if my test indicates a confirmed positive for illegal drugs, I will not be considered for employment, or in the event I are an employee at the time of the test I may be subject to disciplinary action up to and including termination, in accordance with the Drug Testing Policy.

Lunderstand that I may request a copy of any tests taken, as part of the screening tests upon receipt of the results by the Drug Program Monager, from the laboratory.

I understand the results of those tests and other relevant medical information may be used for employment decisions. I hereby authorize the authorized laboratory to release results to the GCA Services Group Drug Program Manager. I further agree to hold GCA, its agents, officers and employees harmless from, and waive all claims existing and future for any, and all liability (including negligence) arising in connection with the testing for drugs and/or alcohol.

This is to be sign	ad immediately prior to hire.	
AGREED TO BY:	James Lument Leach Print Name:	9-19-05
	riiii Name:	Date:
-	James honorat Leach sign Name: ucy Swenstrom	
WITHESS: Na	ncy Swanstrom_	9-19-05
	/ Print Name:	Nate:
REFUSED BY:		
	Print Name:	Date:
		•
	Sign Name:	•
WITHESS:	Print Name:	
	Print Name:	Date:
REASONS FOR REF	FUSAL; >	
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GCA Services Group, Inc.™

	LD PERSONNEL	
	Social Book (Sex.) M	D
Address:	Phone #:	
		-
City:	*State: Zip:	
CHECK ALL THAT APPLY New Hire		
NEW HIRE / REHIRE		
**Hire Date: Employee #: *Poetton: *Reporting to (name & title):	Hourly:	/hour
*Status:	Call *Marital Status:	
Allowances Additional Federal Tax 165 C		
Training Location: Duration: Source of Newspaper Carear College or	Training Contact: Company Internet Employee Agancy	
SEPARATION / LEAVE OF ABBENCE		
*Separation Date: *LOA Date:	Dele Return:	
☐ Resignation ☐ Termination ☐ Layoff Reason:	Dr.	
*Number Vacation Days Due: *Rehirs: ☐ Yes ☐ No	Performed WIII	kla.
*If Termination, has HR reviewed documentation:	□ No Amount	10
*If Resignation, has employee provided written notice: ☐ Yes	□ No	
SALARY CHANGE / PROMOTION / DEMOTION / BONUS AWARD		programital
*Effective Date: 7/1/06 *Reason for Change: Annua	a/ Other: NA	,
Date Last Increase: Percentage Last Incree	ess: 8 % Bonus Award \$	
Present Salary 9.25 Increase Amt. 000	Percentage 3 % New Salary 4,5	3
Old Position NA	New Position NR	
TRANSFER	;	وتخويس
Effective Date: *Company Relocation ☐ Y	Yes No	
Old Unit: *Old Unit #	*New Unit: New Unit #:	
FRANCIAL MANCHALION CHANGE		

FRÖM :90UTHERN BUJLDIN - 10E - FAX NO. 1843 556 4101 - Apr. 19 2005 10:24AN F2

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Effective Date:	Name Change:	,	Phone #:	
New Address:				
SIGNATURES				
Assistant Account Manager		// blame: //	Date:	
PIST ILT Amended Manager	2	Nother More	lic Dete:	6-27-06
Regional Manager	tere Gutowk	Steve Name: Gri Te	-uKDeite:	6. 27-06
Senior Regional Manager:		: Name:	Date:	
Other Manager / Director		Name:	Date:	
HR Manager/Director:		Neme;	Date:	
Vice President		! Name;	Date:	
Division President;		Name:	Deta:	
Senior Vice President		Names	Date:	
Senior Vice President, HR& Administration		: Name:	Date:	
CFO / Controller		Name:	Date:	
President & CEO;		Name:	Date:	
Notes:		:	· · · · · · · · · · · · · · · · · · ·	
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Waganid Salaty Adjustments		gnatures These signatures	mustice abieneo	from management
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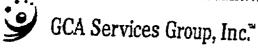
PERSONNEL ACTION FORM HOURLY FIELD PERSONNEL

Date Entered in GCAware: 7/3//06 Date Entered in JDE: 2/5//06 C	opy to Payroll: 7/31/06 Copy to Benefits: 7/31/06
Date: 7/26/06 *Division Name: K-12 EOUCRTION	*Business Unit 3618-Rock FORD
Last First Middle Social	M
*Name: <u>LEACH JAMES</u> Sec#.	000.
Address:	Phone #:
City: *State:	Zip:
CHECK ALL THAT APPLY	
□ New Hire □ Re-Hire □ Separation ☑ Salary Change	
☐ Personal Info Change ☐ LOA ☐ FMLA ☐ Bonus Award	Other:
NEW HIRE / REHIRE	
*Hire Date: Employee #: *Position:	Hourly: /hour
*Reporting to (name & title):	
Tourismo Part Time Temporary On Call	*Marital Status:
Allowances Additional Federal Tax *Job Category:	*Ethnicity:
Training Location: Duration:	Training Contact:
Source of Newspaper Career College or College or New Hire: Advertisement Fair University Websit	Deferred
TOW THE	
SEPARATION / LEAVE OF ABSENCE	*Date Return:
*Separation Date: *LOA Date:	Determine
	Severance Other Payment Yes No
Number vacation pays Due.	ayment.
*If Termination, has HR reviewed documentation: Yes	□ No Amount □ No
-(I Resignation, has employed provided materials	
SALARY CHANGE / PROMOTION / DEMOTION / BONUS AWARD	,
*Effective Date: 7/31/06 *Reason for Change: PROHOTI	Other: NH
Date Last Increase: NR Percentage Last Increase:	NA % Bonus Award \$ NA
Present Salary // Indease And	ercentage NR % New Salary \$ 10.70
THE COURT (CONTROLLY) N	ew Position DRY MECHANIC
Old Position DITY PORTER (CUSTOUTHN)	
TRANSFER [] Ves	□ No
*Effective Date: *Company Relocation	No New Unit: New Unit #:
Old Unit: *Old Unit # PERSONAL INFORMATION CHANGE	
LEUSOUVE INLOUMY HOW AND INCHAF	

FROM (SQUTHERN BUILD)) 105 FAX (8. 1843 556 410) Feb. 18 2006 10:244M F2

Effective Date:	Name Change:	•	Phone #:	
New Address:		•		
RIGNATURES				
Assistant Account fanager		Name:	Date:	
ccount Manager		Sill Mi	MANUS Date:	7-26-06
aglonal Manager	12 Gretil	Steve 6	テッナンが Date:	7-26-06
enior Regional anager:		i Name:	Dete:	
ther Manager / Director		Name:	Date:	
R Manager/Director:		Name:	Date:	
ce President		! Name:	Dete:	
vision President:		Name	Date:	
onfor Vice President		Name:	Date:	
nior Vice President, & Administration		Name:	Date:	
O / Controller		Name;	Date:	
sident & CEO:		Name;	Date:	
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UPD SPECIAL SPORT STREET HEATH	Einid Barach Delon ((6) 31 so to anch re bring Swhoe arocation (1) masaim	Ompania divisira (1/2) Enati	re this country	i Militarobiahed
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PERSONNEL ACTION FORM HOURLY FIELD PERSONNEL

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Date: (a/a)/7 *Division Name: Y	Sockford	Education Business	
Läst Firet	Lanta and the second		NOCKFORD
*Name: Loach Same	5 6	Social DOB:	
Address:		Phone #:	
City:		*State: Zip:	
CHECK ALL THAT APPLY			
	tion Salary Chai		emotion Transfer
NEW HIRE / REHIRE			
*Hire Date: Employee #	*Position:		
*Reporting to (name & title):			Indurry:
*Status: 🗌 Full Time 🔲 Part Time 🔲	Temporary On Call	*Marital Status:	
Allowances Additional Federal Te		egory:	*Ethnicity
Training Location:	Duration;		
Source of Newspaper Career New Hire: Advertisement Fair	☐ College or ☐	Company Internet	Employee
SEPARATION / LEAVE OF ABSENCE			
*Separation Date:**LOA Date:	ite:		
☐ Resignation ☐ Termination ☐ Layoff		*Date Reti	um:
*Number Vacation Days Due:*Rehir		Severance	Other
*If Termination, has HR reviewed documentation:	Yes	Payment	Payment Yes No
*If Resignation, has employee provided written notice	≅: ☐ Yes	□ No	Amount
SALARY CHANGE / PROMOTION / DEMOTION / B	ONUS AWARD		
*Effective Date: 7///07 *Reason for Chan Date Last Increase:			•
Date Last Increase:	ercentage Last Increase:	CATCISE Other:	
Present Salary 10, 70 *Increase Amt.	~ -		
	· d 7 Pe	ercentage 2:57 %	New Salary 10.97
Old Position NA	Ne	ew Position	
RANSFER			
Effective Date:*Company Rel	ocation	☐ No	
id Unit: *Old Unit		*New Unit:	Ma 41 (0. 9)
ERSONAL INFORMATION CHANGE		, TOTT WING	New Unit #:

Effective Date:	11. a.	umants\Personnel Action Forms\Per		ly Field Employees.do
New Address:	Trains Onlings.		Phone #;	
SIGNATURES				
Assistant Account Manager		Name:	Date	
Account Manager		Name:	Date	
Regional Manager	WAllen	Name:		
Senior Regional Manager.	Steve Och I	Name:	Date:	/
Other Manager / Director		Name:		
HR Manager/Director.		Name:	Date:	
Vice President		Name:	Date:	
Division President			Date:	
Senior Vice President		Name:	Date:	
Senior Vice President		Name:	Date:	
HR& Administration		Name:	Date:	
CFO / Controller		Name:	Date:	
President & CEO:		Name:	Date:	
Notes:				7
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Wage and Salary Adjustments must be accompanied by two (2) signatures. These signatures must be obtained from management personnel, whose positions are classified two (2) levels above the affected employee's position.

New hire notifications for Hourly Field Personnel must also be accompanied by one (1) signature. This signature must be obtained from a management personnel, whose position is classified at least one level above the position of the new hire.

After all signatures have been obtained, this form must then be submitted to the payroll department for processing.

The original copy of this document is to be filed in the employee's personnel file.

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PERSONNEL ACTION FORM HOURLY FIELD PERSONNEL

Date Entered in GCAware: Date Entered in JDE: Copy to Payroll: Copy to Benefits:
Date: 6/28/07 *Division Name: K-12 EDUCATION *Business Unit 3678 - ROCKFORD
Last First Middle Social Sec # DOB: Sex: M
Address: Phone #.
City: *State: Zip:
CHECK ALL THAT APPLY
New Hire ☐ Re-Hire ☐ Separation ☐ Salary Change ☐ Promotion ☐ Demotion ☐ Transfer
☐ Personal Info Change ☐ LOA ☐ FMLA ☐ Bonus Award ☐ Other:
NEW HIRE / REHIRE
*Hire Date:
*Reporting to (name & title):
*Status: Full Time Part Time Temporary On Call *Marital Status:
Allowances Additional Federal Tax *Job Category: *Ethnicity:
Training Location: Duration: Training Contact:
Source of Newspaper Career College or Company Internet Employee Agency New Hire: Advertisement Fair University Website Recruiting Referral
SEPARATION / LEAVE OF ABSENCE
BY UNION
Severance Other
*Number Vacation Days Due: O *Rehire: X Yes D No Payment: NA Payment D Yes No
*If Termination, has HR reviewed documentation: Yes No Amount *If Resignation, has employee provided written notice: Yes No No NA
*If Resignation, has employee provided written notice: Yes No
SALARY CHANGE / PROMOTION / DEMOTION / BONUS AWARD
*Effective Date: 7/6/07 *Reason for Change: 7/06/07 RERSOUS Other:
Date Last Increase:
Present Salary *Increase Amt Percentage % *New Salary
Old Position New Position
TOANGEED
TRANSFER
*Effective Date: *Company Relocation Yes No

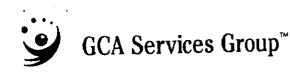
Effective Date:	Name Change:	ments/Personnel Action Forms/Personnel Action Form - Hourty Field Employees.d	
New Address:			
SIGNATURES			
Assistant Account Manager		Name:	
Account Manager	Ared II Jenrath	Name:	Date: Date:
Regional Manager	Willen		70
Senior Regional Manager:		Name:	Date: 7-9-0
Other Manager / Director		Name:	Date:
HR Manager/Director:		Name:	Date:
Vice President		Name:	Date:
		Name:	Date:
Division President:	٠,	Name:	Date:
Senior Vica President		Name:	
enior Vice President, IR& Administration		Name:	
FO / Controller			. Date:
resident & CEO:		Name;	Date:
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Wage and Salary Adjustments must be accompanied by two (2) signatures. These signatures must be obtained from management personnel, whose positions are classified two (2) levels above the affected employee's position.

New hire notifications for Hourly Field Personnel must also be accompanied by one (1) signature. This signature must be obtained from a management personnel, whose position is classified at least one level above the position of the new hire.

After all signatures have been obtained, this form must then be submitted to the payroll department for processing.

The original copy of this document is to be filed in the employee's personnel file.



Mr. Leach stated that he had a family emergency and had to leave. We were trying to work with him at the time of his leave. At no point in time and during the conversations about his leave of absence did he make mention of his desire to move into a management position.

GCA Services Group Advancement and Promotion Policy - Employee Handbook.

GCA's goal is to promote employees from within the current workforce whenever possible. Once a vacancy is established, you may be considered for promotion provided you are qualified for such advancement

In making advancement to a new position, the demonstrated ability and overall qualifications of the applicant will be considered. The final decision on an applicant will be based upon the overall qualification of the applicant and the recommendation of the applicant's department manager.

In certain situations, an opening will occur that requires specialized skills and/or talents that do not currently exist within the company. In such cases, the company will utilize someone from outside the present work force.

GCA Services Group Position

With respect to the charges filed with the EEOC - GCA Services Group feels strongly that the charges are not valid and has demonstrated and portrayed the facts related to the charge in this response.

Mr. Leach was promoted on 7/31/06 from a Custodian to a Day Mechanic based on GCA Services Group promotion/advancement policies. He had the opportunity to advance further -- as does any GCA Services Group employee - but his performance did not warrant further advancement. He did not express any interest in a management position as stated in the above statements.

Any questions or additional information needed - Please call me.

Chuck Simons

Senior Regional Operations/Labor Manager

Midwest Division

GCA Services Group

Office - 630-629-4044

CT Semions

Cell - 630-461-5989

E-Mail - csimons@gcaservices.com

